

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas David Starkey  
Serial No.: 10/619,985  
Filed: May 30, 2003  
For: A Device And Method To Limit Filling Of The Heart  
Group Art Unit: 3738  
Examiner: N/A  
Attorney's Docket No.: N9464-ICW  
Customer No.: 23456

PRELIMINARY AMENDMENT

VIA FACSIMILE NO. (703) 872-9306

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please amend the claims to read as follows:

In Claim 23, in the first line, change "23" to --22--.

In Claim 25, in the first line, change "25" to --24--.

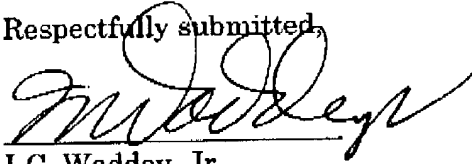
In Claim 28, in the first line, change "28" to --27--.

REMARKS

Upon review of the application, it appears that in the course of rewriting the claims, three dependent claims were mistakenly identified as depending from themselves rather than from the preceding claim which was the intent of the Applicant. This amendment corrects that technical error.

The Commissioner is authorized to charge any deficiency or credit any overpayment associated with the filing of this Response to Deposit Account 23-0035.

Respectfully submitted,



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Certificate of Service

I hereby certify that this Preliminary Amendment is being transmitted to the United States Patent and Trademark Office via facsimile at facsimile number (703) 872-9306 on March 22, 2004.

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I.C. Waddey, Jr.



Signature  
Registration Number 25,180

*3/22/04*

Date